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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,254	02/18/2004	Joel E. Bernstein	41959-102742	3157
23644 7590 09/02/2008 BARNES & THORNBURG LLP P.O. BOX 2786 CHICAGO, IL 60690-2786				
EXAMINER KIM, JENNIFER M				
ART UNIT 1617		PAPER NUMBER		
NOTIFICATION DATE 09/02/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent-ch@btlaw.com

Interview Summary

Application No.

10/781,254

Applicant(s)

BERNSTEIN, JOEL E.

Examiner

JENNIFER MYONG M. KIM

Art Unit

1617

All participants (applicant, applicant's representative, PTO personnel):

(1) JENNIFER M. KIM.(3) Ms. Martin.(2) Dr. Padmanabhan.(4) Dr. Bernstein.

Date of Interview: 26 August 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: Pending claims.

Identification of prior art discussed: Midha et al. of record.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Dr. Bernstein discussed that Midha et al. of record do not teach or make obvious a composition comprising a preponderance of cis doxepin isomer over trans doxepin isomer resulting in significantly less sedative effects as instantly claimed.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/JENNIFER M KIM/
Primary Examiner, Art Unit 1617